

Paul Kapp, #5-2267
Patrick M. Brady, #7-5494
Sundahl, Powers, Kapp & Martin, LLC
1725 Carey Avenue
Cheyenne, Wyoming 82001
Telephone: (307) 632-6421
Email: pkapp@spkm.org

Counsel for Plaintiff ALPS Property & Casualty Insurance Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

ALPS PROPERTY & CASUALTY
INSURANCE COMPANY,

Plaintiff,

v.

NICK E. BEDUHN; GOPPERT, SMITH &
BEDUHN; KURT ACTON; TANNER
BEEMER; and DAROLD BROWN,

Defendants.

Case No. 18-CV-28-F

**ALPS'S MOTION FOR SUMMARY
JUDGMENT**

ALPS Property & Casualty Insurance Company ("ALPS"), by counsel, pursuant to Fed. R. Civ. P. 56 and Local Rule 7.1(b)(2), respectfully moves this Court for an Order granting summary judgment in favor of ALPS and against Nick E. Beduhn ("Beduhn"), Goppert, Smith & Beduhn ("GSB" and together with Beduhn, "GSB Defendants"), Kurt Acton ("Acton"), Tanner Beemer ("Beemer"), and Darold Brown ("Brown", collectively "Defendants"). This motion is based upon the pleadings and other documents filed with the Court in this matter, as described in ALPS's Brief in Support of ALPS's Motion for Summary Judgment, which has been separately filed with the Court.

WHEREFORE, ALPS respectfully requests the Court enter summary judgment in its favor and against Defendants as set forth in ALPS's Brief in Support of ALPS's Motion for Summary Judgment.

Dated: September 14, 2018

/s/ Patrick M. Brady

Paul Kapp, #5-2267
Patrick M. Brady, #7-5494
Sundahl, Powers, Kapp & Martin, LLC
1725 Carey Avenue
Cheyenne, Wyoming 82001
Telephone: (307) 632-6421
Email: pkapp@spkm.org

and

Kevin D. Hartzell (*pro hac vice*)
Brooke H. McCarthy (*pro hac vice*)
KUTAK ROCK LLP
1650 Farnam Street
Omaha, Nebraska 68102
Telephone: (402) 346-6000
Email: kevin.hartzell@kutakrock.com
Email: brooke.mccarthy@kutakrock.com

*Counsel for Plaintiff ALPS Property & Casualty
Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2018, I caused the foregoing document to be served via First Class mail and electronically filed with the Clerk of the Court using the CM/ECF system, to the following:

J. Travis Smith, Esq.
GOPPERT, ROHRBACH & SMITH
1309 Sheridan Avenue
Post Office Box 880
Cody, WY 82414
Email: jtseq37@gmail.com

Counsel for Defendant Goppert, Smith & Beduhn

Nick E. Beduhn, Esq.
2013 Shoshoni Trail South
Cody, WY 82414

Pro Se via U.S. First Class Mail Only

David M. Clark, Esq.
Christopher J. King, Esq.
GREEAR CLARK KING, P.C.
1112 Robertson Avenue
Post Office Box 552
Worland, WY 82401
Email: dave@greearclarkking.com
Email: chris@greearclarkking.com

Counsel for Defendants Kurt Acton, Tanner Beemer, and Darold Brown

/s/ Patrick M. Brady
Patrick M. Brady